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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

Conservatorship of the Person of
Sandra K.

San Diego County Health and Human
Services Agency,

Petitioner and Respondent,

v.

Sandra K.,

Objector and Appellant.

D075430

(Super. Ct. No. MH111430)

APPEAL from a judgment of the Superior Court of San Diego County, Margie G. Woods, Judge. Appeal dismissed.

Suzanne Davidson, under appointment by the Court of Appeal, for Objector and Appellant.

No appearance by Petitioner and Respondent.

Sandra K. suffers from schizoaffective disorder and major neurocognitive disorder due to a traumatic brain injury. Since 2015, she has been subject to conservatorships of

the person under the Lanterman-Petris-Short Act (LPS Act or Act). (Welf. & Inst. Code, § 5000 et seq.) On November 13, 2018, when the most recent conservatorship was set to expire, the San Diego County Health and Human Services Agency, through the office of the public conservator, filed a petition to reestablish a conservatorship of Sandra on grounds that she remained unable to provide for her basic personal needs as a result of a mental disability. In December 2018, the court found that Sandra was a gravely disabled person and reestablished the conservatorship. The court determined the least restrictive placement available and necessary for Sandra was an open treatment facility.

Sandra appealed from the December 2018 judgment reestablishing the conservatorship. Citing *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), *Anders v. California* (1967) 386 U.S. 738 (*Anders*), and *Conservatorship of Ben C.* (2007) 40 Cal.4th 529 (*Ben C.*), her appointed counsel has filed a brief, stating she is unable to find any arguable appellate issues and asking that we independently review the record to determine whether there are any arguable appellate issues. Pursuant to *Anders*, counsel identifies two possible, but not arguable, issues: (1) whether substantial evidence supported the trial court's finding that Sandra was gravely disabled; and (2) whether substantial evidence supported Sandra's placement in an open treatment facility.

In *Ben C.*, the California Supreme Court concluded that *Wende* and *Anders* procedures are not mandated in an appeal of a judgment for a conservatorship of the person under the LPS Act. (*Ben C.*, *supra*, 40 Cal 4th at p. 535.) We decline to exercise our discretion to review the record for error. We have reviewed the brief submitted by Sandra's appointed counsel, including the possible issues. We have given Sandra the

opportunity to file a supplemental brief. She has not done so. Competent counsel has represented her in this appeal.

DISPOSITION

The appeal is dismissed.

IRION, J.

WE CONCUR:

HUFFMAN, Acting P. J.

AARON, J.